

SUBCHAPTER A—HELIUM AND COAL

PART 601—SALES OF HELIUM BY AND RENTAL OF CONTAINERS FROM THE BUREAU OF MINES

Sec.

601.1 Purpose.

601.2 Definitions.

601.3 Contract application forms and procedures.

601.4 [Reserved]

601.5 Schedule of prices and charges.

601.6 Purchase price of helium.

601.7 Service charges.

601.8 Settlements under existing contracts.

601.9 Shipping containers.

601.10 [Reserved]

601.11 Applicability to Federal Agencies.

AUTHORITY: Pub. L. 86-777, approved Sept. 13, 1960, 74 Stat. 918 (50 U.S.C. 167-167n).

SOURCE: 46 FR 37506, July 21, 1981, unless otherwise noted.

§ 601.1 Purpose.

The purpose of this part 601 is to establish procedures governing the sale of helium and related services by the Bureau of Mines, and the rental of helium containers from the Bureau of Mines.

§ 601.2 Definitions.

(a) *Act* means the Helium Act, Pub. L. 86-777, approved September 13, 1960 (74 Stat. 918; 50 U.S.C. 167-167n).

(b) [Reserved]

(c) *Helium plant* means a facility operated by or for the U.S. Bureau of Mines for the production, purification, repurification, or shipment of helium.

(d) *Bureau* means the Bureau of Mines of the Department of the Interior.

(e) *Purchaser* means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, state or political subdivision thereof, having a new (after revision of this part) helium purchase contract with the Bureau, and any agency of the U.S. Government, purchasing helium from the Bureau or using helium containers rented from the Bureau.

(f) *Grade-A helium* means the grade of helium produced at the Bureau's helium plants, and is 99.995 percent pure helium, or better by volume.

(g) *Standard cubic foot (scf)* is a

1-cubic foot volume of Grade-A helium measured at a pressure of 14.7 pounds per square inch absolute and a temperature of 70 °Fahrenheit.

(h) *Cylinder* means a standard-type cylinder of approximately 1.5 cubic feet internal volume, designed for a filling pressure of 1,800 pounds per square inch gage or more, which will stand vertically without external support with the center of the valve outlet not less than 50½ inches nor more than 58½ inches above the floor, equipped with a standard-type cylinder valve, safety relief device, and valve-protective cap, or a similar cylinder acceptable to the Bureau as a standard type.

(i) *Valve* means a standard-type cylinder valve acceptable to the Bureau of Mines having a valve outlet conforming to Specification No. 580 or No. 350 as described by the latest edition of Compressed Gas Association, Inc., Pamphlet V-1, ANSI B57.1-1977; *Provided*, That at the Bureau's option, valves with outlets conforming to other specifications may be accepted as alternate standards.

(j) *Tank car* means a railroad car permanently equipped with multiple tubes manufactured in accordance with 49 CFR 179.500.

(k) *Tube trailer* means a road-type semitrailer without motive power permanently equipped with multiple tubes manufactured in accordance with 49 CFR 178.36, 178.37, or 178.45.

(l) *Tube module* means one or more seamless steel tubes, manufactured in accordance with 49 CFR 179.500, that by means of a framework are joined together to form a unit. Valves may be manifolded.

(m) *Liquid helium trailer* means a special road-type semitrailer without motive power, equipped with a vacuum-jacketed container suitable for transporting 1,000 U.S. gallons or more of liquid helium. The container may be separable or an integral part of the chassis and dependent upon design, may or may not require a Department of Transportation (DOT) special permit for transporting.

§ 601.3

30 CFR Ch. VI (7–1–00 Edition)

(n) *Liquid helium dewar (dewar)* means a portable or skid-mounted, vacuum-jacketed container suitable for shipping less than 1,000 U.S. gallons of liquid helium.

(o) *Schedule of Prices and Charges (Schedule)* means a listing of prices and charges for products and services provided under contract pursuant to this part.

(p) *Federal Agency* is any department, independent establishment, commission, administration, foundation, authority, board, or bureau of the U.S. Government, or any corporation owned, controlled, or in which the U.S. Government has a proprietary interest, as these terms are defined in 5 U.S.C. 101–05; 5 U.S.C. 551(1); 5 U.S.C. 552(e); or in 18 U.S.C. 6, but does not include Federal agency contractors.

(q) *Contracting officer* is the person executing a contract on behalf of the Government, and includes any duly appointed successor.

§ 601.3 Contract application forms and procedures.

(a) Any prospective helium purchaser may make application to the Bureau to become a purchaser of helium, and, if desired, rent containers from the bureau and, upon meeting the requirements of this part and upon execution of a purchase (and container rental) contract with the Bureau, may purchase helium (and rent containers) from the Bureau. To be eligible, a prospective purchaser must: demonstrate adequate financial resources to pay for helium and helium-related services in advance, hold a certificate of competency and/or a determination of eligibility from the Small Business Administration if the prospective purchaser is a small business concern and is determined to be nonresponsible and/or ineligible by the contracting officer, and be otherwise qualified and eligible to enter into a Bureau contract under applicable laws and regulations.

(b) The information collection requirement contained in this paragraph has been approved by the Office of Management and Budget under 44 U.S.C. 3507 and assigned clearance number 1032–0111. The information is being collected to identify firms desiring to enter into a contract. This infor-

mation will be used to complete contract documents and establish cash advance required. The obligation to respond is required to obtain a benefit.

(c) The contract shall include, among other things, duties and responsibilities of the parties, definitions, term, minimum contract volume, and other conditions, such as advance payments, deposits, surety bonds, repurchase rights of the Government, liabilities, reservations with respect to sales and deliveries, power of inspection, notification to repurchasers, violations and penalties, cancellation and assignment of contract, termination, general provisions, and standard provisions.

(d) Application forms are available upon written request from Division of Helium Operations, 1100 S. Fillmore St., Amarillo, Texas 79101. Applicable contract form(s) and Schedule will be included for examination by the prospective purchaser.

(e) Upon approval by the Contracting Officer of the returned application, the contract will become effective when executed by both parties.

§ 601.4 [Reserved]

§ 601.5 Schedule of prices and charges.

(a) The Schedule of Prices and Charges (Schedule) is published by the Bureau of Mines, Division of Helium Operations, and is periodically updated. The Schedule is available upon request from the Division of Helium Operations, 1100 S. Fillmore St., Amarillo, Texas 79101, telephone 806–376–2638 or FTS 735–1638. The Schedule shows prices and charges for helium, ordinary related services, use or rental of Bureau-owned helium containers or equipment, cash advance, and deposit required, and bonds and/or insurance to guarantee return of containers.

(b) Terms and conditions under which products and services can be acquired under contract pursuant to this part are shown in appendix 1 to the Schedule. The terms and conditions are reviewed at least annually, and are revised as required.

(c) Revisions to the Schedule are determined at least annually by the Division of Helium Operations in accordance with Office of Management and